

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JONATHAN MARCUM,

Plaintiff

v.

CIVIL ACTION NO. 3:12cv108

**DOLGENCORP, INC., d/b/a
DOLLAR GENERAL**

Defendant.

**PLAINTIFF'S CORRECTED MEMORANDUM IN SUPPORT
OF HIS MOTION FOR LEAVE TO FILE
SECOND AMENDED CLASS COMPLAINT**

Plaintiff JONATHAN MARCUM, by counsel and pursuant to Fed. R. Civ. P. 15(a), respectfully moves the Court for leave to file his Second Amended Class Complaint. Plaintiff submits this Memorandum in support of his Motion. A copy of the proposed Second Amended Class Complaint is attached to Plaintiff's previously filed Motion for Leave to File Second Amended Class Complaint [Docket 41].

This is a case brought by Jonathan Marcum ("Plaintiff"), individually and on behalf of all similarly situated individuals, against Dolgencorp, Inc. d/b/a Dollar General ("Defendant") for violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq. ("FCRA" or "the Act"). The alleged violations arise out of Defendant's failure to abide by the FCRA's procedural requirements pertaining to the use of consumer reports for employment purposes.

Plaintiff seeks to amend his First Amended Class Complaint to add an additional Plaintiff and to add additional claims recently learned in discovery. Counsel for the Defendant, has consented to this Motion.

Conclusion

For good cause and in the interests of justice, this Court should grant Plaintiff's Motion for Leave to file a Second Amended Class Complaint.

JONATHAN MARCUM,
For himself and on behalf of all similarly
situated individuals.

/s/

Leonard A. Bennett, Esq., VSB #37523
Attorney for Plaintiff
CONSUMER LITIGATION ASSOCIATES, P.C.
763 J. Clyde Morris Boulevard, Suite 1-A
Newport News, Virginia 23601
(757) 930-3660 - Telephone
(757) 930-3662 – Facsimile
E-mail: lenbennett@clalegal.com

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of February, 2013, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

David N. Anthony, Esq.
Troutman Sanders, LLP.
1001 Haxall Point
P.O. Box 1122
Richmond, VA 23219
E-mail: david.anthony@troutmansanders.com

John C. Lynch
Troutman Sanders LLP
P. O. Box 61185
222 Central Park Ave
Suite 2000
Virginia Beach, VA 23462
Email: john.lynch@troutmansanders.com

/s/

Leonard A. Bennett, Esq.

VSB #37523

Attorney for Plaintiff

CONSUMER LITIGATION ASSOCIATES, P.C.

763 J. Clyde Morris Boulevard, Suite 1-A

Newport News, VA 23601

(757) 930-3660 - Telephone

(757) 930-3662 – Facsimile

lenbennett@clalegal.com